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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/524,705	11/03/2005	Soeng-Hun Kim	678-1880	1377
66547	7590	01/30/2008	EXAMINER	
THE FARRELL LAW FIRM, P.C. 333 EARLE OVINGTON BOULEVARD SUITE 701 UNIONDALE, NY 11553			LAM, DUNG LE	
		ART UNIT		PAPER NUMBER
		2617		
		MAIL DATE	DELIVERY MODE	
		01/30/2008	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/524,705	KIM ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Dung Lam	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on \_\_\_\_.
- 2a) This action is **FINAL**.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-14 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_ is/are allowed.
- 6) Claim(s) 1-14 is/are rejected.
- 7) Claim(s) \_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date: ____.
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)	5) <input type="checkbox"/> Notice of Informal Patent Application
Paper No(s)/Mail Date ____.	6) <input type="checkbox"/> Other: ____.

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## **DETAILED ACTION**

### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)–(d), which papers have been placed of record in the file.

### ***Information Disclosure Statement***

2. The Information Disclosure Statement submitted on 02/04/05 has been considered by the examiner (see attached PTO-1449 form).

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claim(s) 1-2, 4-7, 9-12, 14-15 is/are rejected under 35 U.S.C. 102(b) as being anticipated by **TR23.846**. (3GPP TR 23.846 1.0.0; Multimedia Broadcast/Multicast Service; Architecture and Functional Description).

5. Regarding *claim 1*, **TR23.846** teaches a method for creating and assigning Temporary Moving Group Identifier (TMGI), comprising the steps of:

6. a) sending a message to a serving GPRS Supporting Node (SGSN) when an UE joining a Multimedia Broadcast/Multicast Service (MBMS) group (Section 7.3.1 Step 1 fig. 17);
7. b) if a MBMS TMGI has been added into the SGSN records, the SGSN directly replying to the UE with the TMGI corresponding to the service (Section 7.3.1 Step 2 and 6.11 and 7.1.1 item #5);
8. c) if there is no record for this service in the SGSN, the SGSN sending a message to a Gateway GPRS Supporting Node (GGSN) ((Section 7.3.1 Step 3-4 of page 34 through first two paragraphs of page 25), and if the GGSN has the TMGI corresponding to this service, the GGSN sending it to the SGSN (Section 7.3.1 Step 5);
9. d) if there is no record for this service in the GGSN, the GGSN creating a TMGI for the MBMS service and transfers it to the SGSN (Section 7.4.1 Step 3-4 fig. 17);
10. e) the SGSN sending a TMGI received from the GGSN to a radio network controller (RNC) (Section 7.4.1 Step 6);
11. f) the RNC transmitting the TMGI to the UE (Section 7.4.1 Step 7 and 6.11 and 7.1.1 item #5); and g) the UE receiving signal from the RNC by using the TMGI (Section 7.4.1 Step 7, and 6.11 and 7.1.1 item #5).
12. Regarding *claim 2*, **TR23.846** teaches a method as claimed in claim 1, further comprising the steps of: after the RNC receiving TMGI, h) forwarding the message to the SGSN (section 6.11 and 7.1.1).

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13. Regarding *claim 4*, **TR23.846** teaches the method as claimed in claim 2, the

TMGI is included in an initial direct transmission of RNC message (section 6.11 and

7.1.1).

14. Regarding *claim 5*, **TR23.846** teaches the method as claimed in claim 1, the

creating of the TMGI comprising the steps of: creating a temporary identifier (section

6.11); obtaining a GGSN identifier; associating the GGSN identifier with the temporary

identifier (section 6.11 and 7.1.1).

15. Regarding *claim 15*, **TR23.846** teaches the method as claimed in claim 11, the

corresponding relation between the TMGI and the MBMS service are notified to other

SGSNs with the aid of a newly created message; and parameters of the message

include a TMGI and an IP multicast address (section 6.11 and 7.1.1, 7.1.4.1).

16. Regarding claims 6-7, 9-10, they are similar to claims 1-2, 4-5. Therefore, they

are rejected for the same reasons as claims 1-2, 4-5.

17. Regarding claims 11-14, they are similar to claims 1-2, 4. Therefore, they are

rejected for the same reasons as claims 1-2, 4.

***Claim Rejections - 35 USC § 103***

18. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

19. Claim(s) 3, 8 and 13 is/are rejected under 35 U.S.C. 103(a) as being unpatentable over **TR23.846**.

20. Regarding *claim 3*, **TR23.846** teaches the method as claimed in claim 2, except the RNC adds 1 to the number of the service's users. However, one of ordinary skill in the art would keep a counter of the number of users to know how many users are subscribing to a service so that suitable resource can be adjusted to minimize failure in service.

21. Regarding claims 8 and 13, they are similar to claim 3. Therefore, they are rejected for the same reasons as claim 3.

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***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dung Lam whose telephone number is (571) 272-6497. The examiner can normally be reached on M - F 9 - 6 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on (571) 272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DL

*Lester R. Kincaid*  
LESTER R. KINCAID  
SUPervisor, Art Unit 2617